

NOTICE OF VIOLATION-PROPERTY MAINTENANCE CODE

July 11, 2019

KING TOWER HOLDINGS LLC
101 SW MAIN ST #1210
PORTLAND, OR 97204

Case #: 18-263839-HS
Posted: 11/08/18

RE: 901 SW KING AVE
JOHNSONS ADD; BLOCK 5; LOT 2&3; E 50' OF LOT 6&7; 1N1E33CD 02500 Tax #:
R43160-0560

On November 8, 2018, a City Senior Housing Inspector visited the above address and found violations of Portland's Property Maintenance Code. This code requires properties be maintained in a safe, sound, and sanitary condition. Attached to this letter is a list of the violations. Please correct these conditions promptly. **You have thirty (30) days from the date of this letter to correct any Fire, Life, Safety, and/or Health, Sanitation violations, and sixty days (60) to correct any other violations before incurring a fee.**

You must call for a re-inspection to close your case without incurring a fee.

- If violations continue uncorrected beyond the deadline, a monthly code enforcement fee is charged as a lien against your property. If housing violations continue uncorrected three (3) months from the initial notice of violation, the monthly code enforcement fee doubles.
- If your property or any part thereof is vacant or becomes vacant, it cannot be occupied until the violations are corrected. In the event the property or any part thereof is reoccupied before all violations are corrected a \$743.00 per month penalty, in addition to the monthly enforcement fee, will be charged until the property is vacated and/or all violations are corrected and approved by the housing inspector.
- For complete details on fees, appeals, or to see if you may qualify for an enforcement fee waiver, refer to the enclosed information sheet.

Thank you in advance for your cooperation. Please call our office if you have any questions,

Ed Marihart
Senior Housing Inspector
(503)-823-7318, Ed.Marihart@portlandoregon.gov

LIST OF VIOLATIONS

ROOF DECK

1. **Fire Life Safety Violation:** Fire Extinguisher Cabinet lacks a permanently installed break-glass tool mounted on or adjacent to the unit. Break-glass tool shall not require any special knowledge or effort, and the tool shall be mounted so it may be accessible and used at a height above the finished floor of 48 inches or less. 29.30.250(a)
2. **Fire Life Safety Violation:** Electrical outlet lacks a cover plate. 29.30.190
3. **Building Permit Required:** Structural work done without obtaining required permits and inspections. Violations include: 2 bathrooms constructed with lavatory sinks & water closets, Several Temporary Structures built & Awnings Installed. A Commercial Building permit is required to either legalize or remove the structures. 29.05.040, 29.50.010, 29.50.020

Please note that CO 18-264763 was Applied for on 11-9-18 & Issued on 6-7-19.

4. **Plumbing Permit Required:** Plumbing work done without obtaining required permits and inspections. Violations include: 2 lavatory sinks & 2 water closets were Installed. A Commercial Plumbing permit is required to either legalize or remove & cap the fixtures. 29.05.040, 29.50.010, 29.50.020

INTERIOR

5. **Fire Life Safety Violation:** Required directional exit sign(s) at most all corridor turns on all floors are missing. 29.30.230(d5), 29.30.250, 29.30.270

*Every exit doorway or change of direction of a corridor shall be marked with a well-lighted exit sign having letters at least five inches (5") high. **Directional exit signs need arrows pointing towards exit.***

6. **Fire Life Safety Violation:** Most all exit signs on all floors lack required size. 29.30.230(d5), 29.30.250(a), 29.30.270(a)

*Every exit doorway or change of direction of a corridor shall be marked with a well-lighted exit sign **having letters at least five inches (5") high.** Directional exit signs need arrows pointing towards exit.*

7. **Fire Life Safety Violation:** Portions of ceiling coverings in the Garbage Rooms on all floors around pipe/conduit penetrations are damaged, missing or have gaps. 29.30.110(a)

Any penetrating pipes/conduits shall have the annular space covered with an approved noncombustible material (i.e. metal escutcheon plate or approved 1-hr fire barrier caulk) to resist the free passage of flame and the products of combustion.

LIST OF VIOLATIONS

8. **Fire Life Safety Violation:** **Garbage Room** door(s) on the 12th, 11th, 9th, 4th & 2nd floors don't self latch/close, creating potentially hazardous conditions. 29.30.230(d3)
9. Common hallway and corridor at Units __07/ __06 on 3rd – 12th floors lack adequate lighting of at least 1 foot candle at principal points and ½ foot candle at other points, measured at not more than 4 feet above the floor. 29.30.190(c)
10. **Fire Life Safety Violation:** **Stairwell door to the Roof access stairs** doesn't self latch/close, creating potentially hazardous conditions. 29.30.230(d3)

11TH FLOOR

11. **Fire Life Safety Violation:** Fire Extinguisher Cabinet lacks a permanently installed break-glass tool mounted on or adjacent to the unit. Break-glass tool shall not require any special knowledge or effort, and the tool shall be mounted so it may be accessible and used at a height above the finished floor of 48 inches or less. 29.30.250(a)
12. **Fire Life Safety Violation:** Lighted exit sign at SW Corridor lacks a left arrow & is not secure at the base. 29.30.230(d5), 29.30.250, 29.30.270

*Every exit doorway or change of direction of a corridor shall be marked with a well-lighted exit sign having letters at least five inches (5") high. **Directional exit signs need arrows pointing towards exit.***

8TH FLOOR

13. **Fire Life Safety Violation:** Encumbrance and/or obstruction, specifically a large box in hallway between Units 805 & 808, creating potentially hazardous conditions. 29.30.230(d2)

7TH FLOOR

14. **Fire Life Safety Violation:** Smoke detector and/or alarm in the garbage room is inoperable. 29.30.240

All newly installed ionization smoke detectors and/or alarms must be equipped with a 10-year battery and a hush feature.

For wall applications, install smoke detectors and/or alarms no closer than 4" to the ceiling, and no further than 12" from the ceiling. For ceiling applications, install smoke detectors and/or alarms no closer than 4" to the nearest wall.

15. **Fire Life Safety Violation:** Fire Escape Window handle is loose, not secure. 29.30.230(c,d)

LIST OF VIOLATIONS

6TH FLOOR

- 16. Fire Life Safety Violation:** Emergency Lighting Unit test button is inoperable.
29.30.250A, 29.30.270A

5TH FLOOR

- 17. Fire Life Safety Violation:** Lighted exit sign at the Fire Escape has both arrows showing & they shouldn't be. 29.30.230(d5), 29.30.250(a), 29.30.270(a)

Every exit doorway or change of direction of a corridor shall be marked with a well-lighted exit sign having letters at least five inches (5") high. Directional exit signs need arrows pointing towards exit.

4TH FLOOR

- 18. Fire Life Safety Violation:** Fire Extinguisher Cabinet lacks a permanently installed break-glass tool mounted on or adjacent to the unit. Break-glass tool shall not require any special knowledge or effort, and the tool shall be mounted so it may be accessible and used at a height above the finished floor of 48 inches or less. 29.30.250(a)

- 19. Fire Life Safety Violation:** Fire Escape Window lacks a handle to open & close.
29.30.230(c,d)

- 20. Fire Life Safety Violation:** Smoke detector and/or alarm in the garbage room is inoperable. 29.30.240

All newly installed ionization smoke detectors and/or alarms must be equipped with a 10-year battery and a hush feature.

For wall applications, install smoke detectors and/or alarms no closer than 4" to the ceiling, and no further than 12" from the ceiling. For ceiling applications, install smoke detectors and/or alarms no closer than 4" to the nearest wall.

- 21.** Garbage room door hardware handle is loose/not secure. 29.30.100(e)

2ND FLOOR

- 22. Fire Life Safety Violation:** Emergency Lighting Unit is inoperable & lighted Exit sign at Units 216 & 217 lacks emergency lighting. 29.30.250A, 29.30.270A

1ST FLOOR

- 23. Fire Life Safety Violation:** Fire Extinguisher Cabinet in Hallway & Laundry Room lack permanently installed break-glass tools mounted on or adjacent to the units. Break-

LIST OF VIOLATIONS

glass tool shall not require any special knowledge or effort, and the tool shall be mounted so it may be accessible and used at a height above the finished floor of 48 inches or less. 29.30.250(a)

24. Fire Life Safety Violation: Exit door to the north lacks emergency lighting. 29.30.250A, 29.30.270A

25. Fire Life Safety Violation: Portions of wall coverings in the fitness room around pipe/conduit penetrations are damaged, missing or have gaps. 29.30.110(a)

Any penetrating pipes/conduits shall have the annular space covered with an approved noncombustible material (i.e. metal escutcheon plate or approved 1-hr fire barrier caulk) to resist the free passage of flame and the products of combustion.

c: File



City of 1900 SW 4th Ave., Suite 5000
Portland, Oregon 97201
503-823-7306
Fax: 503-823-7961
TTY: 503-823-6868

www.portlandonline.com/bds

PORTLAND, OREGON Bureau

Fees, Penalties, Reviews, Appeals, and Waiver Information

FEES

If all Fire, Life, Safety and/or Health, Sanitation violations **are not** corrected, inspected, and approved by a City Housing Inspector within thirty (30) days of the mailing date of the first violation letter, a lien may be placed against the property. If all other violations **are not** corrected, inspected and approved by the Housing Inspector within sixty (60) days of the mailing date of the first violation letter, a lien may be placed against the property. The monthly fee is based on the number of units on the property and the number of units in violation.

1-2 Units \$270.00 per unit	3 – 10 Units \$405.00 per unit	11 – 19 Units \$541.00 per unit	20 or more Units \$675.00 per unit	Residential with Any Non-Residential use & Properties with only Non-Residential use \$675.00 per unit
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An additional auditor charge of 10% will be added to the above amounts, along with a possible recording fee. The monthly fees will double for any property that remains in violation for **three (3)** months from the initial notice of violation. Pursuant to Portland Policy Document ENB 12.07, property owners or their representative may request a review of assessed liens/fees for potential reduction once an enforcement case is closed.

Re-occupation After Notice of Violation: A **\$743.00** per month penalty will be assessed if the property or any part thereof is vacant or becomes vacant and is reoccupied before all violations are corrected, inspected, and approved by the City's Housing Inspector. This is in addition to the monthly code enforcement fees and is assessed per occurrence.

Hearings: A **\$377.00** penalty will be assessed if the City files a complaint with the Code Hearings Officer regarding the continued existence of violations on the property.

ADMINISTRATIVE REVIEW – Do Violations Exist?

- Pursuant to 3.30.040.E.8, as the property owner or authorized agent, if you believe the finding of the notice was in error you may request an Administrative Review within 15 days of the posting notice or within 15 days of the first violation notice. Code enforcement fees will continue to accrue during the review process.
- If additional violations are cited, any property owner or authorized agent may also request an Administrative Review of additional cited violations within 15 days of the date of the notice citing those additional violations.
- An Administrative Review Fee of **\$131.00** is due when the written request for an Administrative Review is received. This fee will only be refunded if it is determined that all of the contested violations were cited in error.

The written request, along with the **\$131.00** Administrative Review fee, must be received in our office within 15 days of original notification and must state the reason(s) for the review. Please make the check payable to the City of Portland. Compliance timelines and enforcement actions remain in effect during the Administrative Review process.

OCCUPANT

«SiteAddress»

PORTLAND OR «SiteZip»



City of Portland, Oregon
Bureau of Development Services
Neighborhood Inspections

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7306
Fax 503-823-7961
TTY 503-823-6868
www.portlandonline.com/bds

Mail requests to: Bureau of Development Services
Neighborhood Inspections & Compliance Services Section
Review/Appeal Desk
1900 SW 4th Avenue Suite 5000
Portland OR 97201

Your request should indicate if you or a representative of the property owner will be appearing in person for the review. If so, we will notify you and/or your representative of the date and time of the review. A written determination will be mailed following the review, which will include additional appeal information as set forth in Section 29.80.020.



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PORTLAND, OREGON Bureau

Code Enforcement Fee Waivers (Housing Cases)
of Development Services
Neighborhood Inspections

A waiver provides for temporary suspension of code enforcement fees assessed against a property. Waivers are available on a limited basis. Call 503-823-0891 for more information or to request an application.

OCCUPANT
«SiteAddress»
PORTLAND OR «SiteZip»

Income-Based Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for (twelve) 12 months. The following requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life safety, health or sanitation violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The dwelling is a one or two family residence; and
5. The property owner(s) must meet the income requirements by providing required documentation;
6. The property is owner-occupied or vacant.

Residential Renovation Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for up to six (6) months. **Please note: If permits are required, they must be paid for and issued before the waiver will be granted.** These requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected, and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life, and safety violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The building is attached to a permanent foundation or has an issued and active permit for foundation work; and
5. Paid and issued building permit fees of at least
 - A. \$500 or a project value of \$15,000 for one and two family dwellings; or
 - B. \$1,000 or a project value of \$30,000 for properties with 3-10 units; or
 - C. \$1,500 or project value of \$45,000; for properties with 11-19 units; or
 - D. \$2,000 or project value of \$60,000; for properties with 20+ units
6. A submitted work plan that demonstrates a project valuation of non-permit work to be done (or a combination of permit and non-permit work that demonstrates the required valuation as listed above) to rehabilitate the property.
7. A completed waiver application must be received in addition to the above listed requirements before a waiver can be considered.

Exterior Paint and Roof Waiver (no application required)

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for nine (9) months. The following requirements must be met before the waiver may be granted:

1. The property is a residential 1or 2 family dwelling,
2. All property maintenance violations with the exception of exterior paint and roof work, must be corrected, inspected, and approved by the Housing Inspector; and
3. The property is clear of any other code violation administered by BDS; and
4. The housing case is currently open.

New Owner Grace Period (no application required)

Upon approval of this waiver, Code Enforcement Fees may be suspended for one (1) month. The following requirements must be met before the waiver may be granted:

1. The new owner acquired the property with pre-existing housing violations of Title 29; and
2. The existing liens have been satisfied or paid current and the City Auditor's Office has notified BDS of a new owner; and
3. The case is currently open.

Active Permit, Demolition, Non-Profit and

Warehouse Waivers: Call the Waiver Desk at 503-823-0891 for more information.

Free Home Repair Assistance Grants are Available for Low Income Owner Occupied Property Owners that earn 50% or less of median family income. For more information and to see if you qualify please visit the Portland Housing Bureau website at <http://portlandoregon.gov/phb/article/430363>.

All information is subject to change.